

**Before the State of South Carolina  
Department of Insurance**

In the matter of:

Charles D. King,  
1009 South Firetower Road  
Florence, South Carolina 29506.

File Number 2004-122788

**Default Order Revoking  
All Licensing Privileges**

This matter comes before me pursuant to a Letter of Allegation and Notice of Opportunity for Public Hearing served, as required within S.C. Code Ann. § 38-3-170 (2003), by the State of South Carolina Department of Insurance upon Charles D. King, of King's Bail Bond, by both certified mail, return receipt requested, and by regular mail on September 2, 2004.

That letter informed Mr. King of his right to request a public hearing upon the allegations of impropriety contained within the letter against him. The letter further warned that his failure to make a timely, written request would result in my summary revocation of his licenses to do business as resident insurance producer and surety bail bondsman within the State of South Carolina. Despite that warning, Charles King has failed to comply with our demands in that he should refund monies to both the Florence County Clerk of Court and to Georgia-Carolina Bail Bonds, Inc., in concept of Bond Forfeitures to the Court and past due Bond fees, unreturned premiums, as well as respond for unaccounted/missing Powers, to the latter. Mr. King also failed to request a Public Hearing. Therefore, counsel for the Department filed an Affidavit of Default, and the entire matter was submitted directly to me for my summary decision based solely on the record.

The letter alleged, and I now find as fact, that while licensed to do business as a resident insurance producer/surety bail bondsman within the State of South Carolina for Georgia-Carolina Bail Bonds, Inc., Charles D. King failed to turn-over or satisfactorily account for monies in concept of Bond Forfeitures owed to the Florence County Clerk of Court, as well as premiums owed to the Insurer, Bond Fees and Missing Powers.

Section 38-43-130 of the South Carolina Code provides the Commissioner or his designee "may revoke or suspend an producer's license after ten day's notice...when it appears that an producer...has violated this title or any regulation promulgated by the department, or has willfully deceived or dealt unjustly with the citizens of this State." This Code Section goes on within Subsection (C)(4) to describe "deceived or dealt unjustly with the citizens of this State" specifically to include, "improperly withholding, misappropriating, or converting any monies or properties received in the course of doing insurance business." Same subsection, paragraph (8) also includes the concept: "using fraudulent, coercive, or dishonest practices, or demonstrating incompetence,

untrustworthiness, or financial irresponsibility in the conduct of business in this State or elsewhere”.

In accordance with my findings of fact, and considering Charles D. King's failure to avail himself of his opportunity to be heard, I now conclude, as a matter of law, that Mr. King violated S.C. Code Ann. § 38-43-130 (Supp. 2003) and that all of his licensing privileges should be revoked.

This administrative disciplinary order is a public record subject to the disclosure requirements of the State of South Carolina's, *Freedom of Information Act*, S.C. Code Ann. §§ 30-4-10, *et seq.* (1991 and Supp. 2003). Nothing contained within this administrative disciplinary order should be construed to limit or to deprive any person of any private right of action under the law. Nothing contained within this administrative disciplinary order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement or judicial officer. Nothing contained within this administrative disciplinary order should be construed to limit the statutory duty, pursuant to S.C. Code Ann. § 38-3-110(3) (2003), of the Insurance Commissioner, exercised either directly or through the Department of Insurance, to “report to the Attorney General or other appropriate law enforcement officials criminal violations of the law relative to the business of insurance or the provisions of this title which he considers necessary to report.”

It is, therefore, ordered that the licenses of Charles D. King to do business as a resident insurance producer/surety bail bondsman within the State of South Carolina be, and are hereby, revoked, and that no license issued through the State of South Carolina Department of Insurance is to be issued to him.

It is further ordered that a copy of this order shall be transmitted to the National Association of Insurance Commissioners for distribution to its current member states and to each insurer for which Charles D. King is currently licensed, through the State of South Carolina Department of Insurance, as a resident insurance producer/surety bail bondsman, within the State of South Carolina.

This order becomes effective as of the date of my signature below.

  
Gwendolyn Fuller McGriff  
Deputy Director

October 13, 2004, at  
Columbia, South Carolina

**Before the State of South Carolina  
Department of Insurance**

In the matter of:

Charles D. King, dba, King's Bail Bond,  
1009 South Firetower Road  
Florence, South Carolina 29506


SCDOI File Number 122788

**Affidavit of Default**

Personally appeared before me John B. O'Neal, III who, being duly sworn, stated that at all times relevant to this Affidavit of Default he was an attorney representing the State of South Carolina Department of Insurance in this administrative action. He further stated the following:

The Department served notice on the above-named respondent, at the address detailed above by a Letter of Allegation and Notice of Opportunity for a Public Hearing that the Department would request the Director of Insurance to summarily revoke his license to act as a resident insurance producer and surety bail bondsman within the State of South Carolina in thirty days. The Department served the Notice, pursuant to S.C. Code Ann. § 38-3-170 (Supp. 2003), by "depositing it in the United States mail, postage prepaid, addressed to the last known address of the person and registered with the return receipt requested." That Notice further informed respondent of his opportunity, within thirty days, to request in writing a public hearing, by notifying the Administrative Law Court and payment of the corresponding filing fee.

The United States Postal Service effected service of the Notice by certified mail, return receipt requested, and by regular mail, on or about September 3, 2004. The respondent had also been instructed to refund monies to the Florence County Clerk of Court in concept of Bond Forfeitures and to Georgia-Carolina Bail Bonds, Inc. for the same, as well as for unreturned premiums and missing Powers. However, Mr. King did not comply with our demand, nor made a written request for a Public Hearing, and the time in which to do so has expired. Charles D. King and King's Bail Bond are now in default on both counts.

  
John B. O'Neal, III  
Associate General Counsel

Sworn to and subscribed before me  
This 13th day of October, 2004



Steven R. DuBois  
Notary Public for the State of South Carolina  
My Commission Expires May 10, 2009

South Carolina Department of Insurance  
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